

Application No. 09/464,348
Amendment "F" dated August 12, 2005
Reply to Office Action mailed May 18, 2005

REMARKS

The Final Office Action, mailed May 18, 2005, considered claims 1, 9-12 and 33-50. Claims 1, 9-12, and 33-47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Thurlow et al. (U.S. Patent No. 5,914,489) in view of Gainey et al. (U.S. Patent Application No. 2002/0099681 A1).¹

By this paper, claims 1 and 12 have been amended and claims 42 and 48 have been cancelled, such that claims 1, 9-12, 33-41, 43-47 and 49-50 remain pending, of which claims 1 and 12 are the only independent claims at issue, with claim 1 being directed to a method and claim 12 being directed to a corresponding computer program product for implementing the method of claim 1.

As further clarified during the interview, and as reflected above, the claims are directed to methods and corresponding computer program products for extending a standard Internet protocol to allow for the ability to customize messaging operations performed on an electronic message without deviating from the protocol specification. The recited claims include storing a standard command (such as those included in an email application) and that are based on a standard Internet protocol that has an assigned priority; storing a new user-created command (which is supplemental to the original application and standard command) based on extensions of the standard Internet protocol for manipulating the message; assigning a user-defined priority to the user-created command relative to an assigned priority of the standard command for executing the user-created command, wherein assigning any user-defined priority to the user-

¹ Although the prior art status and some of the assertions made with regard to the cited art is not being challenged at this time, Applicants reserve the right to challenge the prior art status and assertions made with regard to the cited art, as well as any official notice, which was taken in the last response, at any appropriate time in the future, should the need arise, such as, for example in a subsequent amendment or during prosecution of a related application. Accordingly, Applicants' decision not to respond to any particular assertions or rejections in this paper should not be construed as Applicant acquiescing to said assertions or rejections.

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created command that is higher than the assigned priority of the standard command causes the user-created command to bypass the standard command, and such that the user-created command is executed without the standard command being executed; and executing the user-created command according to the assigned priority.

The claims also clarify that the assignment of any user-defined priority to the user-created command lower than the assigned priority of the standard command causes the standard command to be executed with the user-created command, such that the user-created command augments the standard command.

It was found during the interview, with the Examiner and the Examiner's supervisor, that the pending claims, which were amended to more completely recite the claimed embodiments, appear to be distinguished over the art of record.

It was also discussed and found during the interview that the cited art fails to disclose, suggest or even consider embodiments in which the priority of registered user-defined commands are modified, as claimed (claims 46-47).

For at least the forgoing reasons, Applicants respectfully submit that the pending claims are in condition for immediate allowance.²

² Gainey was used in the last action for the proposition of teaching the assignment of priorities to rules. However, as discussed during the interview, Gainey does not teach the assignment of priorities in the same way that is required by the present claims. In fact, Gainey actually teaches that in some instances an assigned priority, based on placement in a rules list, is not always required to be followed, contrary to the pending claims.

For example, in contrast to the claimed embodiments, Gainey teaches that the priority for determining the order in which rules are implemented is roughly based on a rule's position or order of placement within a rule's list. ¶ [0034], [0044]. However, Gainey also indicates that priority is not truly user-defined inasmuch as some rules automatically take priority over the list of customized rules, regardless of the placement of the rules in the list. Gainey clarifies this distinction from the present invention by stating that some rules "take priority over order." ¶ [0044]; see also ¶'s [0034], [0045]-[0051]).

Accordingly, Gainey clearly fails to teach, as discussed during the interview, that 'assigning any user-defined priority to the user-created command that is higher than the assigned priority of the standard command causes the user-created command to bypass the standard command in order of assigned priority,' as claimed, and such that the standard command is not executed.

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In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney.

Dated this 15 day of August, 2005.

Respectfully submitted,



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The cited art also fails to suggest or disclose modifying a previously assigned priority, as recited in claims 46 and 47. Instead, Gainey merely teaches that the priority, if any, is assigned during creation of a rule. (¶ [038]). This aspect of the invention was actually not fully addressed in the last office action. The Office Action states that Gainey discloses such an embodiment, but the cited disclosure has nothing to do with modifying assigned priorities, as discussed during the interview.